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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE UNITED STATES OF AMERICA, *ex*
rel., JOHN DOE,

Plaintiff,

v.

COMMERZBANK AG; COMMERZBANK
AG, NEW YORK BRANCH;
COMMERZBANK AG, GRAND CAYMAN
BRANCH; and COMMERZBANK AG,
LUXEMBOURG BRANCH,

Defendants.

13 Civ. 8095 (JMF)

NOTICE OF DECISION TO DECLINE INTERVENTION

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the United States (the “Government”), by its undersigned attorneys, hereby respectfully notifies the Court of its decision not to intervene in the above-referenced *qui tam* action.

Although the Government declines to intervene in this action, the Government respectfully refers the Court to 31 U.S.C. § 3730(b)(1), which allows the relator to maintain his action in the name of the Government, provided, however, that the complaint “may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting.” *Id.* Therefore, the Government respectfully requests that, prior to granting a

request by the relator or any defendant to dismiss, settle, or otherwise discontinue this action, the Court require such party to obtain written consent of the Government before applying for Court approval.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the Government requests that all pleadings filed in this matter be served upon the Government. The Government further requests that the Court direct relator's counsel to serve on the Government any order issued by the Court.

The Government reserves its right to order the transcript of any depositions taken with respect to the allegations in the relator's Complaint and Amended Complaint. The Government also reserves its right to intervene with respect to the allegations in the relator's *qui tam* action, for good cause, at a later date.

Dated: New York, New York
March 11, 2015

Respectfully submitted,

PREET BHARARA
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Attorney for United States of America

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